

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREG SUTTERFIELD,
Derivatively on behalf of
MICROMUSE, INC.

Plaintiff

v.

LLOYD CARNEY, et al.,

Defendant(s).

No. C04-0893 BZ

**ORDER DENYING STATE
DERIVATIVE PLAINTIFFS'
MOTION TO INTERVENE**

Before me is the motion of state derivative plaintiffs Peter Stropera, Kushal Khan and David Rosenbaum to intervene in this federal derivative action.¹ At the hearing on September 7, 2004, all parties agreed that no further briefing is necessary. For the reasons stated at the hearing, **IT IS HEREBY ORDERED** that state derivative plaintiffs' motion is **DENIED**.

Dated: September 8, 2005



Bernard Zimmerman
United States Magistrate Judge

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¹ All parties consented to my jurisdiction pursuant to 28 U.S.C. § 636(c).